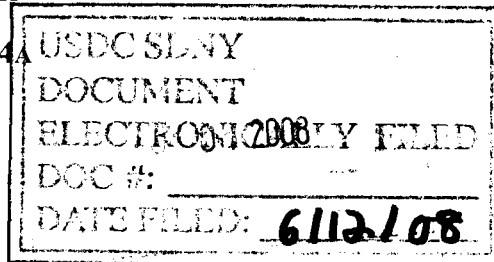


Received mail
June 2, 2008

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
UNITED STATES COURTHOUSE-FOLEY SQUARE
500 PEARL STREET, COURTROOM 14
NEW YORK, NY 10007



-----X
HOWARD GOTBETTER,

Plaintiff,

-against-

08 Civ. 4868 (RMB)

PETER M. WENDT, ET AL.,

Defendants.
-----X

MEMO ENDORSED

This action has been assigned to the Honorable Richard M. Berman. An initial pre-trial conference is (re)scheduled for **June 26, 2008 at 9:00 a.m.** in Courtroom 21D (21st floor), 500 Pearl Street, U.S. District Courthouse. You are advised to review Judge Berman's Individual Practices, which can be obtained in the Clerk's/Cashier's Office, first floor, 500 Pearl Street, U.S. District Courthouse or by visiting the Court's web-site at www.nysd.uscourts.gov.

In accordance with Rule 16 of the Federal Rules of Civil Procedure, counsel should complete in advance of the conference and develop a case management plan (form enclosed). Counsel (or pro se litigants) should bring additional copies of the completed case management plan to the conference.

① ~~Form enclosed~~. There are no defendants' counsel.

In addition to the matters covered in the case management plan, counsel (or pro se litigants) should also be prepared to address at the conference the factual and legal bases for their claims or defenses, subject matter jurisdiction, and any other issue relevant to case management. **Counsel should also be prepared to discuss efforts to settle the case.**

Courtesy Copies of all Rule 7.1 Statements and pleadings shall be submitted to chambers prior to this conference.

6/2/08

Dated: New York, New York
May 30, 2008

Response from Howard Gotbetter

Very truly yours,

Dori Straus

Dori Straus
Intern

(212) 805-6721

212/312-0968
P.O. Box 102
NY NY 10101

② I think any Pre-Trial conference for 6/26/08 is very premature. Action filed 5/27/08. Service on defendants via mail Request started 5/27/08. Waiver of Service

③ Defendants' not served and no defendants' counsel exist as of today.

④ Cannot develop any current case management plan today

⑤ Copy of complaint mailed 5/27/08 to chambers

⑥ Defendants all individuals - no Rule 7.1 statement needed

⑦ SHALL I ATTEND MYSELF ON 6/26/08? I am Pro Se

| | |
|--------------------------------------|-----------------------------|
| <u>Conference adjourned to</u> | |
| <u>7/24/08 at 9:00 a.m. (final).</u> | |
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| SO ORDERED: | <u>Richard M. Berman</u> |
| Date: <u>6/10/08</u> | Richard M. Berman, U.S.D.J. |